

Mexican bank notes 15—Mexico pesos
 10—Chihuahua currency 25—Cordoba
 currency 5—Bar Silver, (Handy &
 Horman quotations) 45% — Copper
 25.00—Gold—Dollars higher—Adventures
 steady—Stocks strong.

LATEST NEWS BY ASSOCIATED PRESS.

SINGLE COPY FIVE CENTS

EL PASO, TEXAS, THURSDAY EVENING, JUNE 10, 1915.

DELIVERED ANYWHERE 60 CENTS A MONTH.

12 PAGES, TWO SECTIONS, TODAY.

WEATHER FORECAST.

El Paso and west Texas, fair; New Mexico and Arizona, fair.

EL PASO HERALD

Strong British Protest Is Sent To Villa

FOUR KILLED IN VILLISTAS' ATTACK ON TUXPAM

German Colonels Celebrate Wedding Anniversary as Shells Burst Overhead.

German Submarines Torpedo and Sink Torpedo-Boats No. 10 and No. 12.

41 SURVIVORS TAKEN ASHORE Great Britain's Naval Losses Since Outbreak Of War Are Given at 6409.

Imperial Government Reads Own Meaning Into United States-Prussia Treaty. WOULD "SINK," NOT "DETAIN."

Germany Claims, In Effect, Right to Destroy any U. S. Ship With Contraband.

WASHINGTON, D. C., June 10.—Germany's latest note to the United States on the sinking of the American sailing ship Wm. P. Frye by the Prinz Eitel Friedrich, received here today, makes the far reaching claim of a right to destroy any American vessel carrying contraband, while agreeing to pay damages for the act.

Two points made by the United States are rejected by Germany. One was the statement of the American government in its note of April 28 that prize court proceedings meant unnecessary delay, all matters concerned being susceptible for prompt settlement through diplomatic channels; and the other was that the destruction of the Frye was unquestionably a violation of the obligations imposed upon the imperial government under existing treaty stipulations between the United States and Prussia.

Treaty Says "Detain." Under the Prussia-American treaty of 1828, the binding force of which was admitted by Germany in its note of April 5, the right of citizens of either country to ship arms and ammunition as well as all other kinds of contraband in their own vessels was granted in time of war, but each party had the right to detain such contraband and make payment for it if confiscated.

Germany Reads Between Lines. The note from Germany today enlarges upon the treaty of 1828 by claiming that while the treaty did not specifically permit the destruction of a ship, nevertheless, if it was found to be carrying contraband, it could not be stopped in any other way than by the destruction of the contraband and of the ship carrying it.

Convention, Meeting at Capital, Deprives Provisional President Gonzales Garza of Power and Chooses His Successor; 480 Foreigners Are Now On Their Way to Veracruz.

WASHINGTON, D. C., June 10.—A message from special agent Carothers, dated Gomez Palacio, June 7, said Villa's secretary of foreign affairs left for the front that day to deliver president Wilson's statement on Mexico to his chief. Carothers added: "Reports received yesterday indicate that the battle is continuing fiercely with all advances on Villa's side."

A message from Monterey forwarded to the Red Cross a request for 20,000 cases of bandage sets "to improve the sanitary condition of the poor."

CHAZARO IS NOT KNOWN; VILLISTAS DISCLAIM HIM. None of the Villa officials or former Chihuahua residents knew who Lagus Chazaro is.

60 CAPTURED CARRANZA TROOPS ARE EXECUTED. Eagle Pass, Texas, June 10.—Villa troops under Gen. Hernandez on Monday executed 60 Carrancista prisoners near Mexiquita, Chihuahua, according to a report received Wednesday night by Villa officers in C. P. Diaz.

AMERICAN KILLS ROBBERS. A message from the Brazilian minister in Mexico City said W. P. Monte, an American resident, shot and killed two Mexicans Tuesday night while they were attempting to rob his house. It was the fourth time within the last few months that Monte's house had been attacked by robbers, the message said. Monte was arrested and the Brazilian minister reported he had obtained his release with difficulty.

Drop the "Head" From "Figurehead" and You Have "Figure"—That's Bryan

The War At a Glance

CAPTURE of the Austrian town of Montefalco is announced in an official communication from Rome. Gen. Cadorna, Italian chief of staff, reports that the town was occupied after stubborn fighting along the Isonzo river. Montefalco lies three miles east of the river and about an equal distance north of the gulf of Trieste. It is 16 miles northwest of the city of Trieste, against which the Italian invasion presumably is directed. Possession of Montefalco would be of strategic importance to the Italian, particularly as that point is connected by railways with Trieste.

At various points along the Isonzo river sharp fighting has occurred and several successes for the Italians are announced, but the Austrians are still holding dominating positions on the right, or west, bank of the river.

Tentative Successes in East. Uninterrupted successes for the Austrians and Germans in Galicia are claimed in Vienna, where it is said the advance south of the Danube is continuing in central Galicia and the Baltic provinces, however, the Russians apparently are retreating the advances with more success.

Losses at Sea. German submarine attacks continue fruitful a number of small vessels being reported sunk. A Berlin dispatch, conceding that the German lost a vessel, a collier, in the Baltic engagement of last week and that another was damaged. It is asserted in Petrograd that a German transport and torpedo boat was sunk.

Spontaneous Fighting in West. War reports from Paris and Berlin respecting the situation in the west show that a series of sporadic engagements is in progress. On each side minor successes have been won. The French attack south of the Somme, which was the last long section of German trenches near Hebuterne, apparently is not being followed up.

Five More British Sunk. Five more British vessels, of which four were trawlers, have been sunk by German submarines.

TO ISSUE WARRANTS FOR CLAIMS IN MISCELLANEOUS BILL

Austin, Tex., June 10.—Acting upon the opinion of the attorney general's department, controller H. B. Terrell has decided to issue warrants in payment of claims carried in the miscellaneous appropriation bill passed at the first special session of the Thirty-third legislature. The controller has approved or issued warrants in payment of claims carried in this bill because it did not pass in the house of representatives. The attorney general's department gave an opinion to the governor in which it was held that such claims could be paid at once, that under the constitution an appropriation bill for the support of the state government became effective as soon as approved by the governor.

Among the items provided for in this bill is one for \$10,000 for a Texas exhibit at the Panama Pacific exposition.

INVESTIGATES MARKETING CONDITIONS IN TEXAS CITIES

Austin, Tex., June 10.—An investigation into the marketing system prevalent in the various cities of Texas is being made by G. C. White of Washington, D. C., representative of the transportation and storage investigations bureau of the federal department of agriculture. Mr. White spent some time here conferring with shippers and traffic men and also with the department of agriculture. This bureau has recently inaugurated a new service which is proving of great value to shippers generally over the country. At present the service is devoted to four commodities, tomatoes, strawberries, cherries and cantaloupes. Mr. White said that the service has already proved successful, the plan is to prevent the market from being overflooded and to distribute shipments equitably.

TEXAS SCHOOLS ARE GIVEN \$275,000 OF FUND IN JUNE

Austin, Tex., June 10.—Appropriation of the available school fund for the month of June was announced today by Prof. W. F. Doughty, state superintendent of public instruction. The amount, apportioned is \$275,000. This makes a total of \$8.75 thus far apportioned out of a total appropriation of \$9 for this fiscal year. The remainder, \$1.25, is to be apportioned for the months of July and August.

SOLDIER STABS COMRADE WHO THREATENS DRENCHING

Douglas, Ariz., June 10.—Because he was threatened with drenching with a bucket of water, private Nicholas Berlovich is said to have stabbed Corp. Leo McCormick, field drum major of the 18th infantry band, Corp. McCormick died.

CAPTAIN OF INTERRED SHIP IS STILL IN UNITED STATES.

Norfolk, Va., June 10.—Commander Thierichsen of the interned German cruiser Prinz Eitel Friedrich, reported in Paris dispatches to have been arrested aboard an Italian steamer in the dispute of a cook, is now aboard the interned vessel here. Third surgeon Volter is away from the ship and an inquiry is being made.

TRENCH FEAST IS NOVEL ONE

German Colonel Celebrates Wedding Anniversary as Shells Burst Overhead.

Northern France, June 10.—To the sealer after sensations is commended a luncheon at the German front, in an "Understand" or protected underground cave house occupied by some officer in the immediate neighborhood of a battery of heavy artillery. Let him preferably come directly to the cave, from the front trenches at a time when the firing has been heavy, and where he has been able to see rows upon rows of wind between the German and French lines; and where also he has been given a "dumpee" of real warfare and some of its hardships, and if possible let him choose the colonel's wedding anniversary for the day of his visit, for then there will be the most suitable wildness champagne in honor of the occasion and perhaps a lively piano to offset the shrieking of the shells as they tear overhead.

This opportunity to make a study in contrasts was afforded an Associated Press correspondent on a recent tour of northern France.

The morning had been devoted to inspecting the remarkable trenches that in the battle underground, with "houses" that have "all the comforts of home." Overhead the German shells shrieked continuously, and their devastating effect could be seen in part by circumspect glimpses over the top of the trenches.

The way led by the Bavarian colonel was through the windings, peeling, seemingly interminable "Lagerhaus" or "connecting" trenches, and led out suddenly into a little wooded clump, less than a thousand yards from the French trenches and not twice that from their batteries. Just behind the trench was a German battery that one could hear but not see.

With a twinkle in his eye, the Bavarian colonel turned sharply to the right, down a neat and well-lit pair of steps and along a path flanked by flowers. The path led into a spacious room, the ceiling of which was about on a level with the ground, perhaps a little lower.

At the entrance stood a mahogany piano. Comfortable stools, his place at the head of the festive board, invited the correspondent to a seat at his side, and waved to his accompanying officers to take seats on the other side. A little dimly, that it was his wedding anniversary and that he felt like celebrating.

His officers were in the midst of congratulations when—Bang—went one of the guns in the battery just to the rear and the shell could be plainly heard as it tore over the roof of the little dwelling, so inconspicuous in the midst of all the evidences of active warfare.

For reply one of the musically talented officers jumped up and ran to the piano and struck up the wedding march. Its strains boomed out in the little room, and were drowned for a second as another—Boom—sounded from the battery.

No luncheon in a big city could have been more tastefully arranged—nor could have tasted one-half as good. From some mysterious recess a servant—summoned by an improvised electric bell—drew forth red and white wine, and then champagne. The colonel apologized for the shortage of glasses, only one apiece, and that champagne had to be drunk from a claret glass washed out and spring water after serving got first priority.

ASQUITH GETS READY TO ASK ANOTHER HUGE SUM

London, Eng., June 10.—Premier Asquith announced in the house of commons this afternoon that a further vote of credit would be discussed on Tuesday of next week.

It is understood that the new vote will be for 250,000,000 pounds sterling (\$1,250,000,000) pounds sterling (\$1,250,000,000).

JAPANESE ARE REGRETTING RESIGNATION OF BRYAN.

Tokyo, Japan, June 10.—Japanese newspapers generally express regret over the resignation of W. J. Bryan as American secretary of state, inasmuch as they regard him as the friend of Japan.

The resignation is generally regarded as indicating that the attitude of the United States toward Germany will be a determined one.

CANADIAN AVIATOR IS DECORATED BY FRANCE

Paris, France, June 10.—Lieut. A. J. Warford, Canadian aviator, who on Monday destroyed a German Zeppelin, has been given the cross of the Legion of Honor, upon the recommendation of Gen. Joffre. Well was awarded the Victoria cross Tuesday by king George of England.

POSTPONE CHARITOX CASE; JURORS ARE ALL AT WAR.

Brescia, Italy, June 10.—Because all the jurors on three jury lists are now soldiers at the front, it is regarded as certain that the case of Porter Charleston, the American charged with the murder of his wife, will have to be postponed. The assize court has been unable to sit because of the lack of

SIX TRAWLERS ALSO SENT TO THE BOTTOM

German Submarines Torpedo and Sink Torpedo-Boats No. 10 and No. 12.

41 SURVIVORS TAKEN ASHORE

Great Britain's Naval Losses Since Outbreak Of War Are Given at 6409.

LONDON, Eng., June 10.—Two British torpedo boats were torpedoed this morning off the east coast of England by a German submarine. The boats are the No. 10 and the No. 12. Both of them went to the bottom. The survivors, 41 in number, have been brought ashore. The boats were at a very early hour. This information was given out by the admiralty today.

Famishing Crew Rescued. The crew of the trawler Velocity, which had been sunk at sea by a German submarine, were landed at Hartlepool this morning after being 48 hours at sea in a small boat without food or water.

The men were in a terrible state of exhaustion, when picked up by the vessel which brought them to port. The submarine fired five shells at the Velocity to send her to the bottom.

British Trawler Sunk. The Grimby steam trawler Nottingham was sunk in the North sea Monday by the shell fire of a German submarine. The crew was saved.

A news dispatch received here from Mass. says the crew of the British trawler Qui Vive and Edward, who have been sunk by German submarines, were rescued by a Dutch steamer and brought into Mass. last.

The trawlers Castor and Cleopatra have been sunk by a German submarine. The trawler's crew, which was allowed five minutes in which to leave the boat, arrived here today. Bombs were used against both vessels. The Castor's crew was picked up at sea.

The total number of officers and men who perished through the sinking of British naval craft since the outbreak of the war is 6409, according to a statement made by T. J. McNamary, financial secretary of the admiralty, in the house of commons this afternoon.

This total does not include the men who lost their lives on the mine layer Triton and the British battleship Bulwark.

GREAT BRITAIN PUTS NEW PENSION RATES INTO EFFECT

London, Eng., June 10.—The new rates of pensions to disabled soldiers have just gone into effect. Privates who are totally incapacitated will receive \$6.25 a week, with an additional allowance of 55 cents a week for each child in his family. Non-commissioned officers will receive from \$7 to \$14 a week pension. Widows of privates get \$12.50 to \$17.50 a week, with 50 cents to \$1.00 a week for each child.

The war office has also decided to introduce a "family allowance" for married soldiers living at their own homes. Under this scheme, those eligible for this scheme of pay will receive from \$5 to \$8 a week in place of the usual rates of lodgings, rations and military pay.

AUSTRIAN AIRMEN ATTACK SERVIAN ARSENAL; KILL 3

Paris, France, June 10.—The Hava news agency has received a dispatch from its correspondent at Nish, Servia, who says that early this morning three Austrian aeroplanes flew over Kracov, where there is an arsenal, and dropped three bombs. Three persons were killed and 10 wounded.

Servian aviators pursued and attacked the Austrian airplanes. One Austrian airplane, struck by bullets, fell to earth in Austrian territory.

GERMAN BALTIC INVASION TURNS TO A RETREAT

Berlin, Germany, June 10.—The official announcement from army headquarters today states that German forces which invaded the Baltic provinces of Russia have retreated. The statement says that the German wing southeast of Shavli has withdrawn to the south towards the Reissigola-Zugleins line.

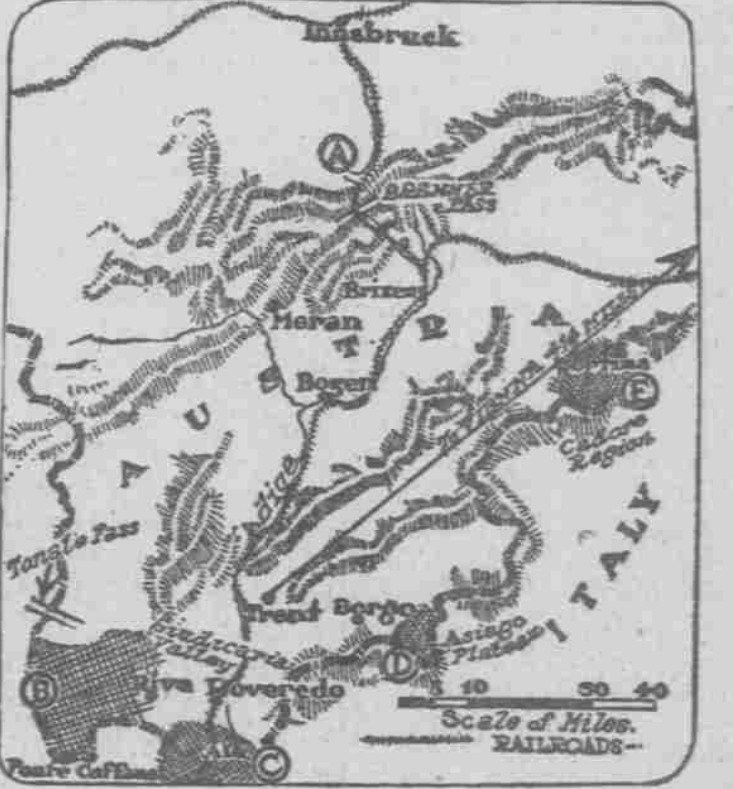
GERMAN SINK STEAMER CAPTURED BY BRITISH.

London, Eng., June 10.—The British steamer Erna Boldt has been torpedoed and sunk off Harwick by a German submarine. The major part of the crew were saved. The Erna Boldt was formerly a German steamer. She was captured by the British and put into service by them.

BODY RECOVERED IS NOT THAT OF VANDERBILT.

London, Eng., June 10.—The representative in London of the Vanderbilt family received word from Queens-town, Ireland, this afternoon that a body reported recovered on the coast of county Clare Wednesday night was not that of Alfred G. Vanderbilt. The body was found by an old woman collecting seaweed.

TASK CONFRONTS ITALY



THIS map shows how far the Italians have penetrated into the mountain valleys of Trentino and the Tyrol, and how far they still have to go before they can expect to gain possession of any point of prime importance, as well as the mountain chain which interposes the most effective barriers to their advance.

From the viewpoint of an invading army, the Tyrol consists of just one thing—railroad line to Vienna, which comes from Verona, in Italy, up the valley of the Adige to Trent, and thence northeast over the divide by the left Brenner pass (A) to Innsbruck. The entire country is a huddle of lofty snow-capped peaks and narrow, rocky valleys, with few and poor roads. The railroad, to either army operating in this region, is the only life-line.

The Italian troops at the outset of hostilities struck across the frontier at about seven points, at four of which they have made gains. These four points were the pass at Ponte Caffaro, from Lombardy, northwest of Lake Garda, leading into the Giudicaria valley (B) due east to Trent; the direct route up the valley of the Adige (C) from Verona, following the railroad; across the mountains from the Asiago plateau, 40 miles further east, down the Sugana valley (D) to Trent, by way of Borgo; and in the Cadore region to Cortina (E) north to the branch railroad line which joins the main Innsbruck-Trent line at Brixen.

In the Tonale pass, north of Ponte Caffaro, and at several other points between those indicated, and to the east, in the Carnic Alps, there has been fighting but apparently little progress.

The shaded portions on the map indicate the approximate territory so far covered by the Italian advance. It will be seen that they have made most of their progress east from Ponte Caffaro, toward Trent, and by the frontal attack straight up the Adige valley by way of Ala. But it is also evident that, even if Trent is taken, the real invasion of the Tyrol and of Austria has just begun.

Forty-five miles beyond Trent the Italian armies must fight uphill to the Brenner pass, and, even supposing Innsbruck taken, they would still be 200 miles from Vienna.

CHAZARO RILES MEXICO CITY; GONZALES GARZA IS DEPOSED

Convention, Meeting at Capital, Deprives Provisional President Gonzales Garza of Power and Chooses His Successor; 480 Foreigners Are Now On Their Way to Veracruz.

WASHINGTON, D. C., June 10.—A message from special agent Carothers, dated Gomez Palacio, June 7, said Villa's secretary of foreign affairs left for the front that day to deliver president Wilson's statement on Mexico to his chief. Carothers added: "Reports received yesterday indicate that the battle is continuing fiercely with all advances on Villa's side."

A message from Monterey forwarded to the Red Cross a request for 20,000 cases of bandage sets "to improve the sanitary condition of the poor."

CHAZARO IS NOT KNOWN; VILLISTAS DISCLAIM HIM

None of the Villa officials or former Chihuahua residents knew who Lagus Chazaro is.

They say he is not a Villista and is not a delegate from the Chihuahua Villistas to the convention. Villa's friends declare Chazaro must be a Zapatista, since no one in the north has heard of him.

Foreigners from Mexico City, numbering 480, crossed the break in the railway to Fachum, Wednesday, enroute to Veracruz, according to advances to the state department today from consul Stillman at Veracruz. The train probably will reach Veracruz today or tomorrow morning and the refugees probably will be transferred immediately to the United States transport Burford.

American Kills Robbers. A message from the Brazilian minister in Mexico City said W. P. Monte, an American resident, shot and killed two Mexicans Tuesday night while they were attempting to rob his house. It was the fourth time within the last few months that Monte's house had been attacked by robbers, the message said. Monte was arrested and the Brazilian minister reported he had obtained his release with difficulty.

60 CAPTURED CARRANZA TROOPS ARE EXECUTED. Eagle Pass, Texas, June 10.—Villa troops under Gen. Hernandez on Monday executed 60 Carrancista prisoners near Mexiquita, Chihuahua, according to a report received Wednesday night by Villa officers in C. P. Diaz.

United States consul Blocker completed arrangements Wednesday with Villa authorities to send food supplies furnished by the American Red Cross to Monterrey, where, it is said, many families are destitute.

Two hundred thousand rounds of rifle ammunition were destroyed in a fire at Piedras Negras Wednesday. A Villa soldier on guard duty accidentally discharged his rifle, the bullet striking a case of gasoline, which exploding started the fire.

DEFENDS SINKING VESSEL OF U. S.

Imperial Government Reads Own Meaning Into United States-Prussia Treaty.

WOULD "SINK," NOT "DETAIN."

Germany Claims, In Effect, Right to Destroy any U. S. Ship With Contraband.

WASHINGTON, D. C., June 10.—Germany's latest note to the United States on the sinking of the American sailing ship Wm. P. Frye by the Prinz Eitel Friedrich, received here today, makes the far reaching claim of a right to destroy any American vessel carrying contraband, while agreeing to pay damages for the act.

Two points made by the United States are rejected by Germany. One was the statement of the American government in its note of April 28 that prize court proceedings meant unnecessary delay, all matters concerned being susceptible for prompt settlement through diplomatic channels; and the other was that the destruction of the Frye was unquestionably a violation of the obligations imposed upon the imperial government under existing treaty stipulations between the United States and Prussia.

Treaty Says "Detain." Under the Prussia-American treaty of 1828, the binding force of which was admitted by Germany in its note of April 5, the right of citizens of either country to ship arms and ammunition as well as all other kinds of contraband in their own vessels was granted in time of war, but each party had the right to detain such contraband and make payment for it if confiscated.

Germany Reads Between Lines. The note from Germany today enlarges upon the treaty of 1828 by claiming that while the treaty did not specifically permit the destruction of a ship, nevertheless, if it was found to be carrying contraband, it could not be stopped in any other way than by the destruction of the contraband and of the ship carrying it.

The effect of Germany's answer today, if its assertions are accepted by the United States, would be to throw into the prize court for decision all questions of whether destruction of an American vessel constituted an extreme case of military necessity.

London Declaration Not Ratified. International law, outside of treaty stipulations, has contained many a mooted case on that point. While the declaration of London established finally that, in case of military necessity, a ship whose cargo was more than half contraband could be destroyed after passengers and crew were removed to a place of safety, the declaration was not ratified by the United States, except in the case of the Frye.

The effect of Germany's answer today, if its assertions are accepted by the United States, would be to throw into the prize court for decision all questions of whether destruction of an American vessel constituted an extreme case of military necessity.

Text of German Note. The following is the German reply: "Foreign office, Berlin, June 7, 1915. 'The undersigned has the honor to make the following reply to the note of the American government, dated April 28, 1915, on the subject of the sinking of the American sailing vessel, Wm. P. Frye, by the German auxiliary cruiser Prinz Eitel Friedrich.'

The treaty of 1790 with Prussia, to which the German note refers, expired by its own limitations in 1810, but its provisions, which are applicable to the present case, were revived by articles of the treaty of 1828. The American government, in its note of April 28, 1915, has referred to the treaty of 1828, while the German reply has referred to it as the treaty of 1790.

Text of German Note. The following is the German reply: "Foreign office, Berlin, June 7, 1915. 'The undersigned has the honor to make the following reply to the note of the American government, dated April 28, 1915, on the subject of the sinking of the American sailing vessel, Wm. P. Frye, by the German auxiliary cruiser Prinz Eitel Friedrich.'

The treaty of 1790 with Prussia, to which the German note refers, expired by its own limitations in 1810, but its provisions, which are applicable to the present case, were revived by articles of the treaty of 1828. The American government, in its note of April 28, 1915, has referred to the treaty of 1828, while the German reply has referred to it as the treaty of 1790.

Text of German Note. The following is the German reply: "Foreign office, Berlin, June 7, 1915. 'The undersigned has the honor to make the following reply to the note of the American government, dated April 28, 1915, on the subject of the sinking of the American sailing vessel, Wm. P. Frye, by the German auxiliary cruiser Prinz Eitel Friedrich.'

The treaty of 1790 with Prussia, to which the German note refers, expired by its own limitations in 1810, but its provisions, which are applicable to the present case, were revived by articles of the treaty of 1828. The American government, in its note of April 28, 1915, has referred to the treaty of 1828, while the German reply has referred to it as the treaty of 1790.

Text of German Note. The following is the German reply: "Foreign office, Berlin, June 7, 1915. 'The undersigned has the honor to make the following reply to the note of the American government, dated April 28, 1915, on the subject of the sinking of the American sailing vessel, Wm. P. Frye, by the German auxiliary cruiser Prinz Eitel Friedrich.'

The treaty of 1790 with Prussia, to which the German note refers, expired by its own limitations in 1810, but its provisions, which are applicable to the present case, were revived by articles of the treaty of 1828. The American government, in its note of April 28, 1915, has referred to the treaty of 1828, while the German reply has referred to it as the treaty of 1790.

Text of German Note. The following is the German reply: "Foreign office, Berlin, June 7, 1915. 'The undersigned has the honor to make the following reply to the note of the American government, dated April 28, 1915, on the subject of the sinking of the American sailing vessel, Wm. P. Frye, by the German auxiliary cruiser Prinz Eitel Friedrich.'

The treaty of 1790 with Prussia, to which the German note refers, expired by its own limitations in 1810, but its provisions, which are applicable to the present case, were revived by articles of the treaty of 1828. The American government, in its note of April 28, 1915, has referred to the treaty of 1828, while the German reply has referred to it as the treaty of 1790.

Text of German Note. The following is the German reply: "Foreign office, Berlin, June 7, 1915. 'The undersigned has the honor to make the following reply to the note of the American government, dated April 28, 1915, on the subject of the sinking of the American sailing vessel, Wm. P. Frye, by the German auxiliary cruiser Prinz Eitel Friedrich.'

The treaty of 1790 with Prussia, to which the German note refers, expired by its own limitations in 1810, but its provisions, which are applicable to the present case, were revived by articles of the treaty of 1828. The American government, in its note of April 28, 1915, has referred to the treaty of 1828, while the German reply has referred to it as the treaty of 1790.

Text of German Note. The following is the German reply: "Foreign office, Berlin, June 7, 1915. 'The undersigned has the honor to make the following reply to the note of the American government, dated April 28, 1915, on the subject of the sinking of the American sailing vessel, Wm. P. Frye, by the German auxiliary cruiser Prinz Eitel Friedrich.'

The treaty of 1790 with Prussia, to which the German note refers, expired by its own limitations in 1810, but its provisions, which are applicable to the present case, were revived by articles of the treaty of 1828. The American government, in its note of April 28, 1915, has referred to the treaty of 1828, while the German reply has referred to it as the treaty of 1790.